



NOTE: THIS EX PARTE WAS THOUGHT TO BE ORIGINALLY FILED ON SEPTEMBER 14TH, AND HAS JUST BEEN FOUND NOT TO HAVE BEEN. SUBMITTING TODAY, SEPTEMBER 25, 2018.

September 15, 2018

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth St, S.W.
Washington, DC 20554

RE: Media Bureau Opens MB Docket No. 18-214, LPTV, TV Translator, and FM Broadcast Station Reimbursement; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions

Dear Ms. Dortch:

On September 12, 2016, Michael Gravino, Director of the LPTV Spectrum Rights Coalition, LLC (COALITION), met with eight (8) members of the FCC's Incentive Auction Task Force (IATF). In attendance from the FCC were: Jean Kiddo, Chair; Hillary DeNigro, Deputy Chair; Barbara Kreisman Video Division/Media Bureau; Hossein-Hashemzadeh, Video Division/Media Bureau; Mark Columbo, OET; Kim Matthews, Media Bureau/Policy; Chas Eberle, IATF; and, Shaun Maher, Media Bureau. Also in attendance was Peter Tannenwald, of Fletcher, Heald & Hildreth, PLC.

The COALITION presented the attached list of questions about station reimbursement NPRM.

Respectfully submitted,

Michael Gravino
Director

Ex Parte Meeting with the FCC's Incentive Auction Transition Team
Mike Gravino, Director - lptvcoalition@gmail.com
September 12, 2018

- **2,159 applications filed**
- **1,987 displacements accepted**
- **1,338 are granted**
- **649 are pending**
- **\$75,490 average each**

1. Reimbursement Funding Eligibility Tests

- a. a station is “operating” if it had licensed its authorized construction permit facilities or had an application for a license to cover on file with the Commission on April 13, 2017
- b. to be eligible for reimbursement, a station must be an LPTV/translator station that was eligible to file and did file an application during the Special Displacement Window

2. Timing of Funding

- a. When is the soonest funds will be available to apply for?

3. Displacement Settlement Window

- a. Will the window be in 2018 or 2019?

4. “An LPTV/translator station that filed in the Special Displacement Window whose application is dismissed may subsequently file a displacement application when the Media Bureau lifts the freeze on the filing of such applications.”

5. "...in order to be considered "transmitting," stations seeking reimbursement under the REA must have been operating not less than 2 hours in each day of the week and not less than a total of 28 hours per calendar week for 9 of the 12 months prior to April 13, 2017." WHAT?
6. "...we contemplate that a third party firm on behalf of, or in conjunction with, the Media Bureau may conduct audits, data validations, site visits or other verifications to substantiate the supporting evidence and representations of entities that certify that they meet the eligibility criteria adopted in this proceeding to the extent necessary."
7. "...When reimbursing low-power broadcasters for equipment, to what extent could the Commission reimburse the costs for full service mask filters that could promote spectrum efficiency, even if the station technically could operate at its new location with a stringent or simple mask? Should such equipment be considered a "reasonably incurred" expense that is related to the repack because it would promote greater use of the television band or should it be considered an upgrade that is not eligible for reimbursement?"
8. "We also seek comment on whether a displaced LPTV/translator station that has received a state governmental grant to construct its displacement facility should be eligible for reimbursement under the REA. Similarly, we seek comment on whether the licensee of a displaced station that has solicited and received donations to construct its displacement facility should be eligible for reimbursement from the REA."
9. Additional topic - field reports of MVPD cable companies moving headends and then claiming eligible must carry stations do not meet the requirements